

ESTTA Tracking number: **ESTTA469742**

Filing date: **04/30/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| | |
|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proceeding | 91196767 |
| Party | Plaintiff Gruma Corporation |
| Correspondence Address | JOHN M CONE HITCHCOCK EVERT LLP PO BOX 131709 DALLAS, TX 75313 1709 UNITED STATES jccone@hitchcockevert.com, docket@hitchcockevert.com, ksimpson@hitchcockevert.com |
| Submission | Stipulated/Consent Motion to Extend |
| Filer's Name | John M. Cone |
| Filer's e-mail | jccone@hitchcockevert.com, docket@hitchcockevert.com, ksimpson@hitchcockevert.com |
| Signature | /s/John M. Cone |
| Date | 04/30/2012 |
| Attachments | 120430 Request for Extension.pdf (2 pages)(8734 bytes) |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/734,156 LA MORENITA

| | | |
|---------------------------------|---|--------------------------------|
| GRUMA CORPORATION, | § | |
| Opposer, | § | |
| v. | § | Opposition No. 91196767 |
| OLE MEXICAN FOODS, INC., | § | |
| Applicant. | § | |

TO THE HONORABLE TRADEMARK TRIAL AND APPEAL BOARD

**STIPULATED/CONSENT MOTION TO
EXTEND DISCOVERY AND TRIAL DATES**

Pursuant to 37 C.F.R. § 2.120 and § 2.121 and TBMP § 509.01, Applicant and Opposer herein, by and through their respective attorneys, hereby stipulate and consent that the expert disclosure, discovery and trial dates be reset and extended for thirty (30) days, as follows:

| | |
|------------------------------------------|--------------------|
| Expert Disclosure Due: | June 29, 2012 |
| Discovery Closes: | July 29, 2012 |
| Plaintiff's Pretrial Disclosures: | September 12, 2012 |
| Plaintiff's 30-Day Trial Period Ends: | October 27, 2012 |
| Defendant's Pretrial Disclosures: | December 11, 2012 |
| Defendant's 30-Day Trial Period Ends: | January 25, 2013 |
| Plaintiff's Rebuttal Disclosures: | February 9, 2013 |
| Plaintiff's 15-Day Rebuttal Period Ends: | March 11, 2013 |

The parties are actively engaged in negotiations for the settlement of this matter and request the foregoing extension to allow the parties to continue their settlement efforts. The undersigned has secured the express consent of Opposer's counsel to this motion for the extension of the dates above. This motion is not made for the purpose of delay or procrastination.

Dated: April 30, 2012

Respectfully submitted,

/s/ John M. Cone

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ATTORNEY FOR OPPOSER
GRUMA CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of April 2012, a true and correct copy of the foregoing document was served via U.S. First Class Mail, postage prepaid on:

Paul S. Owens
Paul Owens & Associates
PO Box 15310
Atlanta GA 30333-0310

/s/ John M. Cone

John M. Cone